



ZIMBABWE ALTERNATIVE MINING INDABA

HOLIDAY INN BULAWAYO
4-5 OCTOBER 2017

**PROMOTING RESPONSIBLE
AND ACCOUNTABLE GOVERNANCE
OF MINERALS**

AGENDA



Hosted by



Zimbabwe Environmental
Law Association (ZELA)



Welcome to the Zimbabwe Alternative Mining Indaba

The Zimbabwe Environmental Law Association (ZELA), Zimbabwe Coalition on Debt and Development (ZIMCODD) and Zimbabwe Council of Churches (ZCC) would like to welcome you to the 6th Edition of the Zimbabwe Alternative Mining Indaba (ZAMI) from the 4th-5th October 2017 at the Holiday Inn in Bulawayo under the theme "Promoting Responsible and Accountable Governance of Minerals."

Introduction

The ZAMI has been convened in the country since 2012. The Indaba is defined as an alternative platform for increased participation of often excluded but equally important stakeholders such as host communities. Over the years, the Indaba has become the biggest platform where multiple stakeholders interface with policy makers and the private sector on sustainable utilization and management of the country's diverse mineral wealth. The 2017 ZAMI will enable multiple stakeholders to openly discuss and understand better the opportunities and challenges underpinning good and accountable governance of the mining sector. The idea behind the ZAMI is to promote stakeholder engagement on the mineral governance discourse. The platform plays a critical role in shaping legal and policy frameworks regulating the sector in the country for purposes of attaining broad based sustainable development. The ZAMI has grown to be deemed as one of the most influential public interest multi-stakeholder annual national meeting facilitating open public dialogue on mineral resource governance.

Objectives

The specific objectives of the 2017 ZAMI are:

- To discuss the on-going policy and legal developments in the mining sector as well as shape critical aspirations of communities and the public.
- To provide an alternative space for stakeholders to openly engage and discuss some of the opportunities and challenges affecting broad based socio-economic development from Zimbabwe's mineral wealth.
- To come up with legal and policy recommendations for improving mineral resources governance for better service delivery.

Expected Outcomes

- Multiple-stakeholders contributing in the on-going legal reforms and ensuring good governance provisions of the mining sector and other related sectors.
- Open discussions on a broad range of issues central from citizens' perspective on the attendant opportunities and challenges posed by the mining sector.
- Learning, sharing and networking amongst various stakeholders on the work being done by different institutions to advance sustainable development in the mining sector.
- Stakeholders engaging with parliament and government officials to understand government policies in and related to the sector and sharing ideas on improving good governance of the sector.

Day 1

CITIZEN FORUM ON MINERAL GOVERNANCE

The citizen forum is aimed at facilitating in-depth discussions on a broad range of mining issues from a citizen perspective on the attendant opportunities and challenges posed by the sector.

Session 1: Opening Ceremony		Day Facilitator: Basilwizi and ZIMCODD
	Activity/Topic	Speakers
8:00-8:45	Registration and Entertainment	Basilwizi Trust
8:45-8:50	Opening Prayer and Theological Reflection	ZCC
9:00-9:15	Welcome Remarks and Objectives	Local Chief ZIMCODD ZELA- Prof Tumai Murombo
9:15-9:20	Partner Remarks	Development Partners
9:20-9:25	Official Opening of the Zimbabwe Alternative Mining Indaba	Mayor of Bulawayo (TBC)
9:25-10:00	Key Note Address "The Africa Mining Vision as a broad-based framework for good and accountable mineral governance"	Dr V. Ushie Advisor, Mineral Sector Governance Africa Minerals Development Centre
10:00-10:30 TEA BREAK		
Session 2: Break Away Sessions		
10:30-13:00	<p>SESSION 1: Gender and Extractives: WOMEN'S BODIES, VIOLENCE & EXTRACTIVISM</p> <p>Moderator: Gender and Extractives Platform</p> <p>Session Summary</p> <p>The session will focus on how extractive industry projects are highly disruptive and impacting on the environment, people's livelihoods and the life of their communities. Women and men experience these impacts differently, and too often, women disproportionately experience harm while missing out on the benefits the industry may bring. The reasons for this are many but of critical importance is a culture within the sector that is blind to women, their rights, interests and needs and where "the community is seen as a community of men".^[i] The result is increasing gender inequality and further disempowerment of women. Due to the social and contextual nature of extractive operations and the surrounding communities, there is a specific need to recognize how gender based violence is shaping women's risk to HIV and indeed their overall safety. Violence Against Women is one of the widespread human rights violation. Violence devastates lives, fractures communities and stalls development. There is a need to reshape values, culture and norms that maintain gender based violence within the mining sector through changes in social norms, institutions and laws.</p> <p>The session intends to:</p> <ul style="list-style-type: none"> • Deepen awareness of stakeholders on how destructive extractivism' using violence has been used to marginalize women in the mining sector. • Grassroots women leaders and NGO activists develop joint actions for greater protection and accountability against Violence Against Women in the Mining sector. <p><small>[i] Julia Keenan and Deanna Kemp (2014). Mining and local-level development: Examining the gender dimensions of agreements between companies and communities. Centre for Social Responsibility in Mining, The University of Queensland.</small></p>	

SESSION 2: Natural Resources, Governance & Development

Moderator: Mutuso Dhliwayo

Session Summary

If natural resources rents from the exploitation of natural resources are properly managed, they can contribute towards the realisation of good governance and development. However, if the mineral resource rents are not properly managed, they can undermine the realisation of good governance, democracy, sustainable development, transparency and accountability. The session on Natural Resources, Governance and Development comes at an opportune time when Zimbabwe’s 2018 harmonised elections are on the horizon and political parties are busy canvassing for support from the electorate.

One of the ways of ensuring that political parties focus on natural resources governance is through engendering it in their political manifestos. Political manifestos provide an important lens into intentions of political parties on natural resources governance. Under this session, political parties that will be contesting in the 2018 harmonised elections will have an opportunity to explain and show how their manifestos speak to issues of natural resources governance.

The session intends:

- To have political parties share and discuss their political manifestos and their implications on natural resources governance;
- To increase the knowledge and understanding of natural resources governance among political parties; and
- To put natural resources governance on the agendas of political parties for the 2018 harmonised elections.

SESSION 3: Tax Justice, Illicit Financial Flows and use of open data to promote transparency and accountability

Moderator: PWYP

Session Summary

Zimbabwe’s mineral resources’ potential depends on whether the country manages to generate, allocate and invest mineral tax revenue efficiently and transparently to promote broad based and sustainable development as envisaged by the African Mining Vision. Although the challenges that result in lost revenue are multi-faceted, it is unarguable that there is need for strengthened fiscal regimes and capacity of agencies governing the mining sector.

Given that tax justice is becoming a core theme in mineral resources governance, this session seeks:

- To discuss critical issues on how to create and sustain a tax justice campaign in Zimbabwe;
- To provide an outline of the policy and practice gaps that facilitate resource leakages in the mining sector; and
- To share the work of human rights defenders and how they can ensure reduced resource leakages and improved revenue collection and accountability in the communities.

The session will explore whether Zimbabwe is getting a fair share from its minerals by giving an analysis of revenue flow from the mining sector. It will also provide a CSO perspective on tax justice and mining fiscal regime in Zimbabwe. A critical element that will be presented on during the session is how the work of human rights defenders can promote tax justice and stop revenue leakages in the mining sector. The session will close with experience sharing on how human rights defenders in Manicaland have used open data to press for transparency and accountability from the sector.

	<p>SESSION 4: Towards Climate Justice in Zimbabwe</p> <p>Moderator: Zimbabwe Environmental Law Association</p> <p>Session Summary</p> <p>Climate change affects human development in terms of food security, health, water conservation, energy production and preservation of natural resources. In developing countries like Zimbabwe, protecting the vulnerable population that depends on natural resources is particularly important in reducing and mitigating the impact of climate change. While much of the responsibility to drive climate change solutions that address the needs of the poorest and most vulnerable rests with governments, it has become increasingly clear that the business sector will be an essential partner in preparing for and responding to the impacts of a changing climate and in building a global green economy.</p> <p>During the ZAMI, this session will be dedicated to:</p> <ul style="list-style-type: none"> • Discuss how mining companies can reduce greenhouse gas emissions and energy consumption from their operations while also supporting the adaptation efforts of the neighboring communities; • Promote the adoption of renewable energy in rural communities and areas that are not accessible to the grid to reduce their reliance on fossil fuels and empower them economically; and • Increase legal understanding of the draft renewable energy amongst communities, government and mining companies. <p>The objectives will be fulfilled through topics that will explore climate change risks, sustainable development and implications for mining companies. The session will also discuss the reality of living in a changing climate and the measures for practical action. Importantly, the session will discuss the policy measures to promote effective investment and engagement.</p>
<p>14:00-14:00</p>	<p>LUNCH BREAK</p>
<p>Session 3: THEMATIC SESSIONS</p>	
<p>14:00-16:00</p>	<p>SESSION 1: ASM Ease of Doing Business Reforms: Exploring Opportunities to Empower communities</p> <p>Moderator: PACT</p> <p>Session Summary</p> <p>The African Mining Vision (AMV) goal for Artisanal Small Scale Mining (ASM) is to harness the potential of ASM to improve rural livelihoods, to stimulate entrepreneurship in a socially responsible manner, to promote local integrated national development as well as regional cooperation. ASM is one of the major targets of the on-going ease of doing business reforms in the mining sector in Zimbabwe. Undoubtedly, ASM sector’s potential to contribute to economic growth and poverty alleviation is massive. The ASM sector is a significant contributor to the country’s total gold production and in turn generating much needed foreign exchange earnings. In 2016, the ASM sector contributed 42.6% to the country’s total gold production from 36.7% in the previous year. However, the ASM sector is confronted with a number of challenges including poor environmental safety and health standards, high levels of criminality and corruption, child labor and poor capabilities of associations to organize and to bargain on behalf of their members.</p> <p>This session is designed to promote multi-stakeholder engagement involving ASM associations, government, business and civil society on impediments and proposed solutions to facilitate ASM ease of doing business reforms for the ASM sector as a tool to empower communities.</p>

	<p>The session will include experience sharing presentations and discussions on artisanal mining, formalizing artisanal mining through a special mining permit. Discussions will also focus on the Africa Mining Vision and local experiences, ease of doing business for small-scale mining, sector impediments and suggested specific policy and practice reforms, socio-economic contribution of artisanal gold mining and emerging practices on large scale mining company engagement with artisanal and small scale mining. The session will conclude by sharing research findings from a study on Criminality in the Artisanal and Small-Scale gold mining sector in Zimbabwe.</p>
	<p>SESSION 2: Business and Human Rights: BRICS Investments</p> <p>Moderator: American Friends (TBC)</p> <p>Session Summary</p> <p>Brazil, Russia, India, China and South Africa (BRICS) are increasingly becoming a dominant alliance in the world. The BRICS nations are investing heavily in many emerging and developing countries, Zimbabwe being no exception. The Zimbabwe Investment Authority notes that a significant number of BRICS investments in the country have been in the natural resources sector. In 2015, China invested 57.6 million, India 4.7 million and South Africa 4.2 million. However, these nations’ investment models favor export oriented, commodity driven strategies and policies that are widely regarded as socially harmful, environmentally unsustainable and have led to greater inequalities. Previous calls have been made to the BRICS leaders for their urgent attention. These include, promotion of social inclusive and participatory development that is driven by the communities, whilst addressing poverty, respects human rights and local cultures and the environment. Also, the nations have been asked to be transparent; set strong principles for greater accountability and promote sustainable development.</p> <p>The objectives of the session are:</p> <ul style="list-style-type: none"> • To have a better understanding of BRICS Investments in Zimbabwe so as to promote shared benefits and mutual understanding between BRICS investors and local citizens; • To identify and profile the impact of BRICS investments on Environmental, Economic, Social and Cultural Rights on selected communities through evidence based research; and • To promote information sharing amongst communities on the concepts, principles and guidelines on BRICS Overseas investments, the United Nations Guiding Principles on Business and Human Rights and their implementation by BRICS enterprises.
	<p>SESSION 3: Investing in local communities: Interrogating Community Benefit Schemes</p> <p>Moderator: Zimbabwe Environmental Law Association</p> <p>Session Summary</p> <p>Community Benefit Schemes exist among other things to recompense mining host communities for the loss of livelihoods and damage to their environment and culture. Although mining projects may bring jobs and infrastructure (clinics, schools, roads) these are usually spread unevenly and for most host mining communities, these may not suffice as adequate compensation.</p> <p>The rationale behind community benefit schemes is that mining ought to contribute to sustainable development at a community level. The private sector is increasingly being recognised as an important player in the fight against poverty and contributor to economic development. This is reflected in policy documents like the Sustainable Development Goals, the African Union’s Agenda 2063 and the Africa Mining Vision. This thinking is resulting in calls for the stakeholders in the mining sector like government, business, Community Based Organisations and Civil Society Organisations to work together so as to have shared benefits.</p>

	<p>This session is designed to discuss community benefit schemes which include Community Share Ownership Trust Schemes (CSOTs), Corporate Social Investments (CSI) models of mining companies as well as local economic and social development plans of local authorities in mining host areas.</p> <p>The session also intends to explore the expectations of local communities which are key towards creating sustainable community benefit schemes.</p>
	<p>SESSION 4: Competing Land Use in Zimbabwe: Conflict between mining and other land uses in Zimbabwe</p> <p>Moderator: TIZ</p> <p>Session Summary</p> <p>Conflicts between various land use practices, mining, agriculture and wildlife conservation is on the increase in Zimbabwe. Mining operations and investors demanding large tracts of land are gradually encroaching into other productive land use practices that are dependent on the same piece of land for their livelihoods. Recently, the Ministry of Mines and Mining Development notified the nation that one million hectares of protected land was to be released to small-scale gold miners across the country to boost production.</p> <p>The Mines and Minerals Amendment Bill also seeks to address the current miner-farmer conflicts that are not regulated by the Mines and Minerals Act through provision of compensation to deprived land titleholders. These actions have reignited interest over the elevation of mining operations beyond other economically productive sectors of the economy. Furthermore, landowners are gripped with fear over the unavoidable problems that mining attracts such as erosion, vegetation removal, displacements and pollution of water bodies. This session therefore intends to drive conversations on how to prevent and resolve land use conflicts mindful of the varying interests of different sectors that rely on land.</p> <p>The objectives of the session are:</p> <ul style="list-style-type: none"> • To understand the various competing land use practices with mining in Zimbabwe; and • To unpack the legal, policy, and institutional framework for land dispute management in cases of conflicting land use practices.
<p>16:15-17:00</p>	<p>Feedback on Thematic Sessions</p>
<p>CLOSE OF DAY</p>	

Day 2

GOVERNMENT-PEOPLE INTERFACE

	Activity/Topic	Moderator: Speaker
8:00-9:00	Registration and Entertainment	
Facilitator:		
9:00-10:45	<p>Parliament-People Interface Session: Moderator: SAPST 'Role of Parliament in promoting responsible and accountable governance of minerals'</p>	<ul style="list-style-type: none"> • Public relations office of Parliament Portfolio Committee Chairpersons • Mines and Energy • Public Accounts Committee • Finance • Environment, Water and Climate • Land and Agriculture
10:45-12:00	<p>Inter-Ministerial Interface Session 1: Policy initiatives aimed at transforming the mining sector Moderator: Fadzai Traquino</p> <ul style="list-style-type: none"> • Minister of Mines and Mining Development • Minister of Environment, Water and Climate • Ministry of Industry and Commerce • Ministry of Agriculture, Mechanisation, Irrigation Development 	Ministers
12:00- 13:00	<p>Inter-Ministerial Interface Session 2: Policy initiatives aimed at transforming the mining sector Moderator: Tumai Murombo</p> <ul style="list-style-type: none"> • Minister of Finance and Economic Development • Ministry of Public Service, Labour and Social Welfare • Ministry of Youth, Indigenisation and Economic Empowerment • Minister of Small and Medium Enterprises and Cooperative Development • Minister of Women Affairs, Gender and Community Development 	Ministers
13:00-14:00	LUNCH	

Plenary Session		
14:00-14:40	<p>Follow the money: Using available data for evidence based advocacy Moderator: INSAF (panel session chair)</p> <p>Session Summary</p> <p>Globally, increased accessibility of mineral revenue information is key to fighting corruption and promotion of a fair share of community benefits from mining activities. The Canadian Mining Association developed an online tool called Toward Sustainable Mining which allows stakeholders like mining companies, central and local government to share and access information on mineral revenue which is useful for decision making purposes. This tool helps to solve the challenge of information asymmetry involving various government institutions on payments made to government by mining companies. Given that Zimbabwe is lagging behind in terms of mineral revenue transparency, international best practices like EITI and the TSM tools will greatly assist to alter positively the transparency landscape.</p> <p>The session will focus on:</p> <ul style="list-style-type: none"> • Towards Sustainable Mining: opportunities to improve mineral revenue transparency and accountability; • The current practice with regards to mineral revenue disclosure in Zimbabwe and opportunities to improve disclosure; and • Why transparency matters to enable a fair share of local tax contribution from mining activities. 	
14:40-15:40	Discussion	
15:40-17:00	Plenary: Formulation of Recommendations for the 2017 ZAMI Declaration	All
17:00-17:10	Vote of Thanks and Closing Remarks	Traditional Leader
END OF DAY 2		
<p>Special Notice: Please be advised that there shall be a free legal aid clinic on the sidelines of the ZAMI where ZELA lawyers will be providing free legal advice.</p>		

Detailed Session Programs**SESSION 1: Gender and Extractives: WOMEN'S BODIES, VIOLENCE & EXTRACTIVISM**

	Presentation Topic	Facilitator/Presenter
10:00-10:10	Introductions and Session Objectives	ZELA
10:10-10:30	Setting the Pace: Feminist Ideology – the concept of Extractivism Regional perspective on VAW in Mining – Extractives	Melanie Chiponda -WOMIN
10:30-10:50	Masculinities Perspectives on Violence Against Women in the Mining Sector	PADARE – Oxfam Partner on SRP
10:50-11:20	Violence Against Women in ASM Sector – Case studies/Media Reports/Court Report	PACT
11:20-12:00	Parliamentary Perspectives on VAW in extractives	Panel Chair: WLSA Hon Chinomona and Hon Chirisa
12:00-13:00	Plenary and drafting action points	OXFAM

SESSION 2: Natural Resources, Governance & Development

	Presentation Topic	Facilitator/Presenter
10:00-10:10	Introductions and Objectives	Facilitator
10:10-10:40	Key Note presentation: The interface between natural resources, governance and development	Dr Jabusile Sibanda
10:40-11:10	The Zimbabwe African National Union Patriotic Front perspectives on natural resources, governance and development	Munyaradzi Katsande ZANU-PF Representative
11:10-12:00	The Movement for Democratic Change perspectives on natural resources, governance and development	Douglas Mwonzora MDC Representative
12:00-13:00	Plenary and Key points	All

Session 3: Tax Justice, Illicit Financial Flows and use of open data to promote transparency and accountability

	Presentation Topic	Facilitator/ Presenter
10:30-10:45	Session Background and Objectives	Session Moderator
10:45-11:15	Policy and Practice gaps that facilitates Illicit Financial Flows: A closer look on Zimbabwe	Trust Africa
11:15-11:35	Strategies and Key messages for a Tax Justice Campaign in Zimbabwe	Tax Justice Network Africa
11:35-11:55	Social Accountability as a strategy for promoting Tax Justice	Action AID Zimbabwe
11:55-12:15	Experience sharing: Human Rights defenders using Open Data to push for Transparency and Accountability	Marange Development Trust
12:15-13:00	Discussion and Way forward	Session Moderator

SESSION 4: Towards Climate Justice in Zimbabwe

	Presentation Topic	Facilitator/Presenter
10:30-10:50	Faith in Action: Empowering the Poor to Reach Universal Energy Access	Dr Mtata- ZCC
10:50-11:10	Mining: The Growing Role of Renewable Energy	Tawanda Muzamwese - BCSD

11:10-11:30	Zimbabwe's Policy Green Economy Transition: Implications for Reorienting Policy Towards a Low-Carbon Growth Trajectory	S Zvigadza - GIE
11:30-11:50	Renewable Energy Policy, Legislation and Procurement Strategy	R Muchinguri - Muvingi and Mugadza Legal Practitioners
11:50-13:00	Plenary	

Thematic Sessions

SESSION 1: ASM Ease of Doing Business Reforms: Exploring Opportunities to Empower communities.

	Presentation Topic	Presenter/Facilitator
14:00 -14:15	Experience sharing of artisanal mining	Artisanal Miner - Bubi
14:15- 14:30	Formalizing artisanal mining through a special mining permit - Africa Mining Vision and local experiences	Ministry of Mines and Development
14:30- 14:45	Ease of doing business for small scale mining; what are the impediments and suggested specific policy and practice reforms	Zimbabwe Miners Federation
14:45- 15:00	Socio-Economic contribution of artisanal gold mining and emerging practice on large scale mining company engagement with artisanal and small scale mining	Metallon Gold
15:00- 15:45	Discussions	ALL
15:45- 16:00	Drafting of recommendations	Rapporteur - ALL

SESSION 2: Business and Human Rights: BRICS Investments

	Presentation Topic	Facilitator/Presenter
14:00-14:10	Introductions and Session Objectives	Facilitator
14:10-14:30	Overview of the legal, policy and institutional framework on community benefits in mining	NIEEB
14:30-15:00	Can communities benefit from mining? Mining community perspectives	Panel session: Great Dyke, Marange, Mutoko, Mhondoro-Ngezi AAAJC-Tete Mozambique
14:40-15:30	Experience sharing; Corporate Social Responsibility models of mining companies	Natural Stone; ZIMPLATS; ZIMASCO
15:30-16:30	Plenary	All

SESSION 4: Competing land use in Zimbabwe: Mining, Agriculture and Tourism

	Presentation Topic	Presenter
14:00-14:20	Biodiversity Conservation Versus Artisanal Gold Mining: A Case Study of Chimanimani	Chimanimani Tourist Association
14:20-14:40	Socio-Economic and Environmental Impact of Mining on Female Small Holder Farmers	G Mugebe - Christian Aid
14:40-15:00	Resolving mining and agriculture land disputes in Zimbabwe	Dr Masuka - ZAS
15:00-15:20	Strategic Approach for Sustainable Land Use in an Emerging Country	Dr Tsabora - MSU
15:20-16:15	Plenary	



**Appreciation goes to all the partners who supported
the ZAMI 2017:**

Act Alliance
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ZIMASCO
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